



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

BRIEFING: August 2, BOARD MEETING AGENDA ITEM #5

TO: Dan Richard and Authority Board Members

FROM: Jeff Abercrombie, Area Program Manager, Merced-Bakersfield

DATE: July 25, 2012

RE: San Jose to Merced Section: Update on process and timing for the Wye decision

Introduction

On May 3, 2012, the Authority Board adopted Resolution # HSRA 12-20. Through this resolution, the Board approved the Hybrid north/south alignment for the Merced to Fresno section, with the exception of the areas within the rectangular box shown on Figure 2 of the CEQA findings (attached at the end of this memo). Within the rectangular box, the Board carried forward for further consideration and study the Avenue 21 Avenue 24 east/west connections and WYEs, as well as a SR 152 east/west connection and WYE based on the feedback of the US Army Corps of Engineers and the US Environmental Protection Agency and other stakeholders. In Resolution 12-20, the Board specifically directed staff to:

“carry forward for further study and analysis all high-speed rail elements in the wye area (i.e., the box in quotation shown in Figure 2 of the Findings). Such analysis shall determine whether any of the current wye alternatives should be changed, augmented, or eliminated or additional wye alternatives considered. Staff shall return to the Board with recommendations, including coverage, in further CEQA documentation by July 31st, 2012.”

This agenda item responds to the Board’s direction at the May 2012 meeting and provides an update on the Authority staff activities related to the WYE.

Background and History up to May 3, 2012

Prior to July 2011, the EIR for the Merced-Fresno segment, and the Board's associated decision, was to encompass the WYE area. Based on 2011 feedback from USEPA and the US Army Corps of Engineers, and from stakeholders, staff recommended and the Board agreed (via Resolution #11-19 in July 2011) that the WYE area decision should be made as part of the San Jose-Merced segment. Among other benefits, this decision allowed for more time to evaluate in detail WYE options that follow SR 152.

Since July 2011, Authority staff has met with a variety of stakeholders located in Madera and Merced counties, both individually and in groups, including elected officials, city and county staff, farm bureaus, school districts, irrigation districts and community organizations to understand their concerns about the WYE alignments.

At the May 3, 2012, Board meeting, the Merced-Fresno alignment decision did not include a decision on the WYE, consistent with the Board's July 2011 direction. Much public comment at that meeting focused on the WYE, however. Responding to that comment, the Board directed staff to return by July 31, 2012, with an update regarding the WYE, including Board decision-making and CEQA coverage options.

Staff Activities Since May 3, 2012

Since May 3, 2012, staff has engaged in further outreach and discussion with stakeholders specifically to focus on and seek ways to refine the current WYE alignments. This process has generated multiple conceptual alignment ideas focused on addressing multiple stakeholder concerns; farmland conversion and property access, changes to local roads and school bus routes, loss of residential properties, disruption to water supplies, and the potential for additional noise and dust. Many discussions have focused on alternative locations for the north-south leg of the WYE, including trying to align this leg (in the West of Chowchilla area) to be adjacent to an existing county road.

Regarding the east-west portion of the WYE, of specific importance is the progress made toward possibly making a SR 152 alignment more viable from an engineering perspective. Staff has worked to potentially reduce HSR conflicts with the implementation of the Caltrans Freeway agreement with Madera County for SR 152. This would allow the HSR right of way to essentially be adjacent to SR 152 rather than 400 feet away from SR 152.

Staff is pleased with the progress to date, and will continue stakeholder and EPA/Corps involvement.

Procedural Options for a Board final Decision on the WYE Area

Staff has considered different procedural approaches available under CEQA and NEPA to efficiently and appropriately address the east/west connection and WYE. The high-speed train project is unique in that it has been the subject of two program EIR/EISs for the statewide system, and is proceeding with project-level EIR/EISs for individual sections of the system.

The WYE area, with its north/south and east/west interface between two different sections, can be evaluated under NEPA and CEQA in different ways. Staff has confirmed, however, that the best procedural option in terms of timing, cost, and clarity and consistency for the public and permitting agencies is by evaluating the WYE area further as part of the San Jose-Merced Section EIR/EIS – i.e., continuing down the path already directed by the Board in July 2011. The Board's final decision on the WYE would follow completion and certification of that EIR/EIS.

Next Steps

Staff will continue to meet with stakeholders in refining the WYE concepts. A public information meeting in Chowchilla is being scheduled for late August to present and collect information on these conceptual alignments in advance of the Supplemental Alternatives Analysis Report.

Staff will also be evaluating the conceptual alignments in accordance with the Authority's established criteria and Clean Water Act section 404(b)(1) requirements and limitations to obtain the feedback of the US Army Corps of Engineers and the US Environmental Protection Agency on which conceptual alignments are appropriate for full study in the San Jose to Merced Draft EIR/EIS. On completion of this process and public input, the Authority staff will prepare a Supplemental Alternatives Analysis for consideration by the Board at a future regularly scheduled meeting, likely in late 2012.

The San Jose-Merced Draft EIR/EIS is anticipated for public release in fall 2013. A Final EIR/EIS and associated Board decision is anticipated in spring 2014. A federal decision under NEPA by the FRA is anticipated summer 2014.

Staff Recommendation

None, informational briefing only

Attachments:

Figure 2, Preferred Alternative – Hybrid, from CEQA Findings of Fact adopted 05/03/12

